REMARKS

Claims 17 – 26 are pending in the application. Claims 17 and 22 are independent claims. Claims 18-21 depend from claim 17 and claims 23-26 depend from claim 22.

Claims 22-26 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention.

Claim 22 has been amended to correct the improper antecedent basis cited by the examiner. Claims 23-26 are dependent on claim 22 and are corrected by dependence on corrected claim 22.

Claims 17-26 are rejected under 35 USC §103(a) as being unpatentable over US Published Patent Application No. 2003/0204711 A1 to Guess, in view of US Published Patent Application No. 2002/0104080 A1 to Woodard.

Claims 17 and 22 have been amended to comprise an element similar to:

"wherein said web-based administration utility performs said uploading by pulling data from said existing firmware structure without loading any software onto said firmware device."

This element is not disclosed in the cited prior art.

Guess, US Published Patent Application No. 2003/0204711, teaches the use of on-board memory for storing firmware configuration data during a firmware update. Guess does not teach

the use of any external devices or connections or a method for changing firmware without

downloading software to the firmware device.

Woodard et al, US Patent Application No. 2002/0104080, teach a method of preserving

operating system configuration parameters across systems or updates. This system works with

full computer systems, such as those that use the Microsoft Windows operating systems, which

have substantial system resources. This system will not work with many firmware devices that

cannot accommodate additional software programs to effectuate the process. Woodard et al

require the use of an SEIM, which is a program that is downloaded to the device (a computer) for

determining configuration parameters.

The currently claimed embodiments of the present invention may be distinguished from

the system of Woodard et al by the lack of a need to download a program to the firmware device.

This distinction is now an explicit element of the amended claims.

In light of the amendments and arguments presented above, the examiner is

respectfully requested to withdraw these rejections and proceed with allowance of this

application.

Respectfully submitted,

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